

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

CLERK'S OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED

MELINDA SCOTT,
Plaintiff

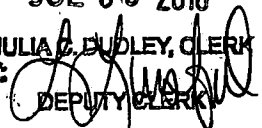
v.

ANDREW CARLSON,
Defendant

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Civil Action No.

1:16cv00027

JUL 05 2016
JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

ORDER AND REPORT AND RECOMMENDATION

The plaintiff's application under 28 U.S.C. § 1915 to proceed without prepaying fees or costs is:

(X) Granted:

The clerk is ordered to file the Complaint.

() Granted Conditionally:

The clerk is ordered to file the complaint. Upon receipt of the completed summons and USM-285 form for each defendant, the clerk will issue a summons. If the completed summons and USM-285 forms are not submitted as directed, the complaint may be dismissed. The United States marshal is ordered to serve the completed summons with a copy of the complaint and this order on the defendant(s). The United States will advance the costs of service. Prisoner plaintiffs are responsible for full payment of the filing fee.

() Denied.

It is **FURTHER ORDERED** that the plaintiff's request to use an address assigned to her by the Virginia Address Confidentiality Program is **GRANTED**, and the Clerk's Office shall place under seal the document provided by the plaintiff with her residential address and shall use the following address upon the court's docket and for service:

Melinda Scott
2014PMB87

PO Box 1133
Richmond, VA 23218-1133

It is **FURTHER RECOMMENDED** that the plaintiff's Complaint be **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2) for failing to state a claim on which relief may be granted because the plaintiff attempts to pursue a criminal charge against the defendant.

Notice to Parties

Notice is hereby given to the parties of the provisions of 28 U.S.C.A. § 636(b)(1)(C) (West 2006 & Supp. 2015):

Within fourteen days after being served with a copy [of this Report and Recommendation], any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge may also receive further evidence or recommit the matter to the magistrate judge with instructions.

Failure to file timely written objections to these proposed findings and recommendations within 14 days could waive appellate review. At the conclusion of the 14-day period, the Clerk is directed to transmit the record in this matter to the Honorable James P. Jones, United States District Judge.

The Clerk is directed to send a certified copy of this Report and Recommendation to the plaintiff at this time.

Dated: July 5, 2016.

s/ Pamela Meade Sargent
UNITED STATES MAGISTRATE JUDGE